

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
ORANGEBURG DIVISION

Joan B. Hamilton,

PLAINTIFF,

v.

Kimbrell's of South Carolina, Inc.,

DEFENDANT.

Civil Action No. 5:17-cv-02735-TLW

**Order**

Plaintiff brings this action pursuant to 42 U.S.C. § 1981, alleging that Defendant discriminated and retaliated against her because of her race. She also asserts state law claims for breach of contract, breach of contract with fraudulent intent, and defamation. ECF No. 1. This matter now comes before the Court for review of the Report and Recommendation (Report) filed by United States Magistrate Judge Thomas E. Rodgers, III, ECF No. 8. In the Report, the Magistrate Judge recommends that Defendant's Motion for Summary Judgment, ECF No. 71, be granted as to Plaintiff's § 1981 claims and that the court decline to exercise supplemental jurisdiction over the remaining state law claims. The deadline to file objections to the Report was January 6, 2020. Plaintiff filed no objections challenging the factual and legal conclusions set forth in the Report. This matter is ripe for disposition.

The Court is charged with conducting a *de novo* review of any portion of the Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained therein. 28 U.S.C. § 636. In the

absence of objections, “a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Even in light of this standard, the Court has carefully reviewed the Report, the relevant filings, and the applicable law. After careful consideration, the Court accepts the detailed legal and factual analysis by the Magistrate Judge. Accordingly, the Court hereby **ACCEPTS** the Report, ECF No. 85. For the reasons stated in the Report, Defendant’s Motion for Summary Judgment, ECF No. 71, is granted and the § 1981 claims stated in the Complaint, ECF No.1, are **DISMISSED**. The Court declines to exercise supplemental jurisdiction over the remaining state law claims.

**IT IS SO ORDERED.**

s/Terry L. Wooten  
Senior United States District Judge

January 29, 2020  
Columbia, South Carolina